IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 516 of 1982

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA sd/-
and
Hon'ble MR.JUSTICE N.G.NANDI sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

THAKORE RAMTUJI CHHAGABNJI

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 516 of 1982

MR PJ VYAS for Petitioner No. 1

..... for Petitioners No. 2-47

MR LR PUJARI, A.G.P. for Respondents No. 1-4

MR JC SHETH for Respondent No. 5

MRS KETTY A MEHTA for Respondents No. 6-7

CORAM : MR.JUSTICE B.J.SHETHNA
and
MR.JUSTICE N.G.NANDI

Date of decision: 10/01/2002

ORAL JUDGEMENT

(Per : MR.JUSTICE B.J.SHETHNA)

1. Learned Counsel Shri P.J.Vyas for the petitioner places on record the photostate copy of letter dated 19.11.1992 written by the Dy. Chief Engineer (Construction) NKM, Western Railway, Ahmedabad to the Collector, Ahmedabad, regarding acquisition of land for Inland Container Depot at Thaltej, Ahmedabad, Tal. Daskroi, which is ordered to be taken on record. As per the said letter the request was made by the Railway to the Collector to denotify the area of the balance land at Thaltej and he was also requested to advise the Counsel of the State Government in this case of dropping the proposal of acquisition.

2. Learned A.G.P. Shri Pujari has no definite instruction about such letter and therefore he is not in a position to make any statement in this behalf. Learned Counsel Shri J.C.Sheth for the Respondent No.5 Railway has also no definite instruction as to whether such letter was written by the Railway to the Collector or not. However, learned Counsel Shri Vyas for the petitioner insisted that such letter was written and he has got copy which he is producing. If this is so then this petition would not survive any more in terms of the aforesaid letter, if it is actually written by the Railway.

Accordingly this petition is disposed of as having become infructuous.

sd/-

(B.J.Shethna, J.)

Date : January 10, 2002 sd/-

(N. G. Nandi, J.)

sas